IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

CRL.A.No. 1112 of 2007-D

ST.1760/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT-I, KANNUR

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APPELLANT: COMPLAINANT:

M.SREEKESH, S/O.RAVEENDRAN, BUSINESS
DEEPOM, P.O.CHALAD, KANNUR.

BY ADV. SRI.P.M.PAREETH

RESPONDENTS: ACCUSED:

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1. STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. S.M.ASHRAF, DANISH AUTO CONSULTANTS, T.P.COMPLEX, BANK ROAD, KANNUR.

R1 BYBY PUBLIC PROSECUTOR MR. C.M. KAMMAPPU

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.A.NO.1112 of 2007

DATED THIS THE 27th JUNE 2007

JUDGMENT

The appellant is the complainant in S.T.C. No.1760/2003 in the file of the Judicial Magistrate of First Class-I, Kannur . The complaint was filed under Section 138 of the Negoiable Instruments Act. The accused was acquitted under Section 256 (1) of the Code of Criminal procedure.

Considering the facts and circumstances of the case, the order of the court below is set aside. The court below is directed to permit the appellant/complainant to further pursue the matter and dispose of the case on its merits. The appellant shall appear before the court below on 30-7-2007. The court below shall issue summons to the respondent/accused. The appeal is allowed.

K.R. UDAYABHANU, JUDGE

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K.R. UDAYABHANU,J.

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CRL.A.NO. 938/2002

JUDGMENT

06-03-2006

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